

FILED

AUG 30 2006

CATHY A. CATTERSON
CLERK, U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

WAYNE BERRY, a Hawaii citizen,

Plaintiff - Appellant,

v.

HAWAIIAN EXPRESS SERVICE, INC.,
a California corporation; et al.,

Defendants - Appellees.

No. 06-16199

D.C. No. CV-03-00385-SOM
District of Hawaii,
Honolulu

ORDER

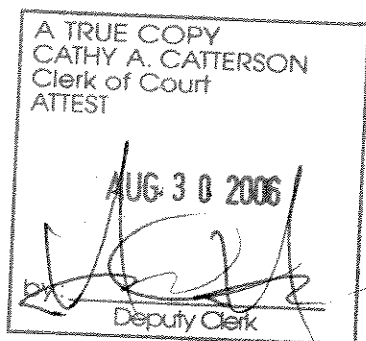
FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 01 2006

at 1 o'clock and 45 min. PM
SUE BEITIA, CLERK

Appellants' motion to dismiss with prejudice appellees H.E.S. Transportation Services, Inc., and California Pacific Consolidators, Inc. is granted.

A certified copy of this order shall act as and for the mandate of this court as to the above-named parties only.



For the Court:
CATHY A. CATTERSON
Clerk of the Court

Cathie A. Gottlieb
Deputy Clerk

Ninth Cir. R. 27-7/Advisory Note to Rule 27
and Ninth Circuit Rule 27-10

pro 08.21

INTERNAL USE ONLY: Events between 1/1/06 and 1/1/06.
06-16199 Berry v. Hawaiian Express, et al

WAYNE BERRY, a Hawaii citizen
Plaintiff - Appellant

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v.

HAWAIIAN EXPRESS SERVICE, INC.,
a California corporation
Defendant - Appellee
[term 08/15/06]

H.E.S. TRANSPORTATION SERVICES
INC., a California corporation
Defendant - Appellee

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CALIFORNIA PACIFIC
CONSOLIDATORS, INC., a
California corporation
Defendant - Appellee

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Karen L.S. Gabler, Esq.
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JEFFREY P. GRAHAM
Defendant - Appellee
[term 08/15/06]

PETER SCHAUL
Defendant - Appellee

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06-16199 Berry v. Hawaiian Express, et al

[term 08/15/06]

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Oklahoma Corporation
Defendant - Appellee

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C & S LOGISTICS OF HAWAII, LLC,
a Delaware LLC
Defendant - Appellee

Ann Teranishi
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C & S WHOLESALE GROCERS, INC.,
a Vermont Corporation
Defendant - Appellee

Ann Teranishi
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C & S ACQUISITIONS, LLC
Defendant - Appellee

Ann Teranishi
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FOODLAND SUPER MARKET, LTD, a
Hawaii Corporation
Defendant - Appellee
[term 08/15/06]

HAWAII TRANSFER COMPANY,
LIMITED, a Hawaii Corporation
Defendant - Appellee
[term 08/15/06]

RICHARD COHEN, a New Hampshire
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Defendant - Appellee

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Defendant - Appellee

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Defendant - Appellee

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SONIA PURDY, Hawaii citizen
Defendant - Appellee

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[COR LD NTC ret]

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JESSIE GONZALES, California
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Defendant - Appellee
[term 08/15/06]

LUIZ RODRIGUES, California
citizen
Defendant - Appellee
[term 08/15/06]

AL PEREZ, California cictizen
Defendant - Appellee
[term 08/15/06]

PATRICK HIRAYAMA, California
citizen
Defendant - Appellee
[term 08/15/06]

GUIDANCE SOFTWARE, LLC, a
California LLC
Defendant - Appellee

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ALIX PARTNERS, LLC, a Delaware
LLC

Defendant - Appellee
[term 08/15/06]